



Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously presented) A surveying instrument, which projects a measuring light to an object to be measured and measures a position based on a reflection light from the object to be measured, comprising a distance measuring unit for emitting the measuring light and for measuring a distance, an image pickup unit for acquiring an image via a light receiving unit, a reflection mirror rotatably mounted in a vertical direction around a horizontal center line and in a horizontal direction around a vertical center line, and used for directing the measuring light toward the object to be measured, for directing the reflected light from the object to be measured toward a light receiving unit, and for directing the image in a projecting direction toward said image pickup unit, rotating means for rotating said reflection mirror in the horizontal direction and in the vertical direction, detecting means for detecting a horizontal angle and an elevation angle of said reflection mirror, and a control unit for calculating a direction to the object to be measured based on the detected

horizontal angle, the detected elevation angle and a light receiving position of the reflection light on said light receiving unit, and for rotating said reflection mirror, based on the result of said calculation, by controlling said rotating means so as to collimate a reflected measuring light with the object to be measured, for measuring a distance to the object to be measured, and for calculating a position of the object to be measured based on the measured distance to the object to be measured and based on the calculated direction to the object to be measured.

2. (Cancelled)

3. (Previously presented) A surveying instrument according to claim 1, comprising an operation device furnished separately, wherein said surveying instrument can be operated by radio communication from said operation device.

4. (Cancelled)

5. (Cancelled)

6. (Previously presented) A surveying instrument according to

claim 1, comprising a removable operation device, wherein said operation device comprises an operation unit to be operated according to programs, and a display unit for displaying the image data, said programs are provided with a function to indicate operation procedure for surveying operation to said display unit, and said surveying instrument is controlled according to the displayed operating procedure.

7. (Cancelled)

8. (Previously presented) A surveying instrument according to claim 1, wherein a distance measuring data and an image data with respect to the object to be measured are acquired from two or more directions, and a 3-dimensional image of the object to be measured is composed based on the distance measuring data and the image data.

9. (Currently amended) A surveying instrument according to claim 1, wherein two or more image data acquired by said image pickup unit are associated with the horizontal angles when the two or more images are acquired respectively, the elevation angles when the two or more images are acquired respectively, and the measured ~~distance~~ distances when the two or more images are

acquired respectively, and the two or more images are composed with a wider range image including an image around the object to be measured.

10. (Previously presented) A surveying instrument according to claim 1, comprising an operation device, wherein said operation device comprises an operation unit which can select measuring conditions, and a measurement program, wherein said measurement program performs measurement based on the selected measuring conditions.